



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II
290 BROADWAY
NEW YORK, NEW YORK 10007-1866

February 12, 2015

Robert Law, Ph.D.
demaximis, inc.
186 Center Street, Suite 290
Clinton, New Jersey 08809

Re: Diamond Alkali Site - Lower Passaic River Study Area

Administrative Settlement Agreement and Order on Consent (AOC) for Remedial Investigation and Feasibility Study, U.S. EPA Region 2 CERCLA Docket No. 02-2007-2009

Dear Dr. Law:

This will respond to the notice of sample disposal pursuant to the above-referenced AOC, received by the U.S. Environmental Protection Agency (EPA) on January 20, 2015. The notice identifies surface water sample material collected by the settling parties under the AOC, also known as the Cooperating Parties Group (CPG), that the CPG proposes to discard.

As described in the CPG notice, the surface water samples were collected between 2011 and 2013. The CPG states in the notice that each of the samples identified therein is beyond the "Sampling Retention Period" as noted in the approved Quality Assurance Project Plan (QAPP)/Field Sampling Plan Addendum, Remedial Investigation Water Column Monitoring/Small Volume Chemical Data Collection, July 2012, and High Volume Chemical Data Collection, December 2012.

As per EPA's letter to the CPG dated July 1, 2010, EPA has requested that the CPG retain samples until EPA has reviewed and accepted the validated results from the associated sampling event. While the data summary reports for both the small volume and high volume chemical water column monitoring are still being revised, EPA's review indicates that we can accept the validated analytical data. Therefore, EPA does not object to disposal of the sample material, consistent with the provisions of the QAPP and QAPP Addendums.

The CPG notice offers to transfer the sample material to persons responding to its notice under certain conditions, including that anyone accepting the sample material execute an Ownership and Custody Agreement. Please provide the list of notice recipients and the Ownership and Custody Agreement to EPA. Further, please advise EPA if the CPG receives a request for the sample material. Consistent with EPA's oversight of the LPRSA RI/FS, EPA reserves the right to comment on and/or object to transfer of the sample material.

Please note that this letter is not intended to address any interests or concerns of other federal or state agencies. If you have any questions, please call me at 212-637-3914

Sincerely,

A handwritten signature in dark ink, appearing to read 'Steph', followed by a long horizontal flourish.

Stephanie Vaughn, Project Manager
Lower Passaic River Study Area 17-mile RI/FS